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Message Text

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PAGE 01 PORT A 00311 252254Z
ACTION ARA-14

INFO OCT-02 ISO-00 HA-05 TRSE-00 CIAE-00 DODE-00 PM-05
H-01 INR-07 L-03 NSAE-00 PA-01 PRS-01 SP-02
SS-15 NSCE-00 SSO-00 USIE-00 INRE-00 IO-13 /068 W
----------014700 252300Z /64
O 252210Z JAN 78 ZFF4
FM AMEMBASSY PORT AU PRINCE
TO SECSTATE WASHDC NIACT IMMEDIATE 7353

LIMITED OFFICIAL USE PORT AU PRINCE 0311

E.O. 11652: N/A
TAGS: SHUM, HA
SUBJECT: HUMAN RIGHTS EVALUATION REPORT

REF: STATE 019873

1. EMBASSY APPRECIATES FINAL OPPORTUNITY TO COMMENT ON UNCLASSIFIED REPORT. WHILE WE APPROVE OF MOST OF CHANGES MADE IN PREVIOUS DRAFT WE ARE DISTURBED BY UNDUE WEIGHT GIVEN IN THIS NEW DRAFT TO OPINIONS OF A FEW IMPLACABLE OPPONENTS OF THE CURRENT GOVERNMENT IN HAITI. THE EMBASSY'S ORIGINAL SUBMISSION, ON WHICH SUBSEQUENT DRAFTS LARGELY RELIED, WAS BASED ON A CAREFUL ASSESSMENT OF INFORMATION FROM A WIDE VARIETY OF SOURCES, EACH ONE OF WHICH WAS WEIGHED FOR ACCESS TO INFORMATION AND THE LIKELY OBJECTIVITY OF ITS VIEWS. SOME OF THESE VIEWS WERE IDENTICAL TO THOSE OF THE EXILES WHO RECENTLY CONTACTED THE DEPARTMENT BUT WERE DISCOUNTED ON THE BASIS OF OTHER MORE PERSUASIVE EVIDENCE. IF THE OPINIONS OF THESE EXILES ARE RECORDED IN THE FINAL REPORT SUBMITTED TO CONGRESS THEY SHOULD BE CLEARLY IDENTIFIED AS THOSE OF EXILED OPPONENTS OF THE GOH AND CONTAINED IN A FOOTNOTE RATHER THAN INCORPORATED INTO THE BODY OF THE TEXT.

2. SPECIFIC COMMENTS AND SUGGESTIONS FOR CHANGES ARE
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PAGE 02 PORT A 00311 252254Z

AS FOLLOWS:

A) SECTIONS 1A AND 1B:

THE PREVIOUS DRAFT REPORT STATED THAT "TORTURE DOES NOT APPEAR TO BE PRACTICED OR CONDONED AT PRESENT." THAT STATEMENT WAS BASED ON THE FACT THAT SINCE SEPTEMBER 1977

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

WE HAVE RECEIVED NO ALLEGATIONS OF TORTURE FROM THE FEW
PEOPLE WE HAVE TALKED WITH WHO HAVE EXPERIENCED HAITIAN PRISONS
IN RECENT MONTHS. IT WAS ALSO BASED ON THE STATEMENT OF
A SENIOR POLICE OFFICIAL WHO, WHEN QUERIED ABOUT A SINGLE
ALLEGATION OF TORTURE IN A DRUG ARREST CASE IN AUGUST 1977,
DENIED THE ALLEGATION WHICH HE HIMSELF HAD BEEN ASKED TO
INVESTIGATE. THE PREVIOUS DRAFT DID NOT STATE THAT TORTURE
AND BRUTALITY HAD CEASED ALTOGETHER. THE NEWLY ADDED LANGUAGE,
HOWEVER, LEAVES THE IMPRESSION THAT BOTH CONTINUE UNABATED.
AS INDICATED IN THE FIRST PARAGRAPH OF SECTION 1B, OTHER
PRISONERS RELEASED IN SEPTEMBER 1977 DO NOT NECESSARILY
SHARE THE VIEWS OF THE EXILES AND WOULD ALSO DISAGREE WITH
THEIR VIEWS REPORTED IN OTHER PARAGRAPHS.

B) SECTION 1C:

THE THREE AMNESTIES OF DECEMBER 1976 AND FEBRUARY AND SEPTEM-
BER 1977 TOTALED 290 PRISONERS. WHY NOT USE THE PRECISE
FIGURE INSTEAD OF THE VAGUE "OVER 200."
CAN THE "EXILES" SUBSTANTIATE THEIR CLAIM THAT THE GOH
STILL HAS POLITICAL PRISONERS? WE HAVE BEEN UNABLE TO
OBTAIN ANY EVIDENCE THAT ANY KNOWN POLITICAL PRISONERS
SURVIVE IN PRISON ALTHOUGH SUCH INFORMATION WAS COMMONPLACE
PRIOR TO THE SEPTEMBER AMNESTY.

C) SECTION 1D:
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WE HAVE HEARD NO OTHER ALLEGATIONS THAT CRIMINAL TRIALS
HAVE BEEN HELD IN SECRET. AS INDICATED EARLIER IN THE
PARAGRAPH, THEY HAVE BEEN LONG DELAYED AND SOMETIMES NOT
HELD AT ALL.

D) SECTION 3A (SECOND PARAGRAPH):

IN THE FIRST SENTENCE "WAS CIRCUMSCRIBED" SHOULD BE COR-
RECTED TO "IS CIRCUMSCRIBED." THE LAST SENTENCE SHOULD BE
CORRECTED TO READ "THIS PAPER HAS SINCE SUSPENDED PUBLICATION."
(NO OTHER PAPER HAS CLOSED AND ALTHOUGH THE JEUNE PRESSE
DECISION TO SUSPEND WAS DUE TO THE INCIDENT, IT WAS
VOLUNTARY.)

E) SECTION 3A (FOURTH PARAGRAPH):

IN THE INTEREST OF ACCURACY WE SUGGEST THE FOLLOWING CHANGES:
"SEVERAL STRIKES IN LATE 1977 MAY PRESAGE GREATER LABOR
ACTIVITY. IN MOST CASES, THE WORKERS WON THE DEMANDS FOR
WHICH THEY WERE STRIKING."

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

F) SECTION 3B:

WE WOULD PREFER TO RETURN TO THE FORMULATION OF THE PREVIOUS DRAFT WHICH WE BELIEVE TO BE MORE ACCURATE AND GIVES THE GOH CREDIT FOR THE IMPROVEMENTS MADE DURING THE REPORTING PERIOD. THE PARAGRAPH WOULD THUS READ "FREEDOM OF MOVEMENT WITHIN HAITI IS NOT RESTRICTED EXCEPT FOR SECURITY BORDER AREAS. THERE ARE NO CONTROLS ON FOREIGN TRAVEL FOR MOST HAITIANS, ALTHOUGH THE GOVERNMENT DENIES EXIT AND RE-ENTRY TO A SMALL NUMBER OF INDIVIDUALS. IN SEPTEMBER 1977 THIS NUMBER WAS FURTHER REDUCED AND APPLICATION PROCEDURES EASED FOR ALL TRAVELERS. ALTHOUGH THE GOVERNMENT HAS RECENTLY USED EXILE AS A FORM OF PUNISHMENT FOR CERTAIN INDIVIDUALS IT CONSIDERS DANGEROUS,
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THIS IS ACTUALLY AN IMPROVEMENT OVER THE TREATMENT SUCH PERSONS WOULD HAVE FACED IN THE 1960'S."

G) SECTION 4:

IN THE FIRST SENTENCE IT WOULD BE MORE ACCURATE TO STATE THAT THE GOVERNMENT "ADHERED TO" THE "INTER" AMERICAN CONVENTION ON HUMAN RIGHTS SINCE THE HAITIAN ACTION CONSTITUTED BOTH SIGNATURE AND RATIFICATION. THE SECOND SENTENCE WOULD MORE LOGICALLY FOLLOW THE FIRST IF IT WERE REDRAFTED AS FOLLOWS: "FOR EXAMPLE, THE GOVERNMENT HAS PUBLICLY INDICATED THAT IT INTENDS TO INVITE THE INTER-AMERICAN HUMAN RIGHTS COMMISSION TO VISIT THE COUNTRY AND THAT IT WOULD RESPOND TO AN INQUIRY FROM THE COMMISSION REGARDING A POLITICAL PRISONER BELIEVED TO HAVE DIED IN PRISON."
JONES

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TAGS: SHUM, HA
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20 Mar 2014
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